



BARNES & THORNBURG

RECEIVED

FEB 24 2003

TECHNOLOGY CENTER R3700

11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313
(317) 231-7433 Fax

3747
#11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 3747
Confirmation No.: 4457
Application No.: 09/774,524
Invention: SYSTEM FOR DIAGNOSING EGR
VALVE ACTUATOR AND SENSOR
RELATED FAILURE CONDITIONS
Applicant: Yue Yun Wang et al.
Filed: January 31, 2001
Attorney
Docket: 29766-67966
Examiner: Paul J. Hirsch

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on

February 10, 2003

(Signature)

Holly R. Kelley
(Printed Name)

REQUEST FOR WITHDRAWAL OF THE HOLDING OF ABANDONMENT

Assistant Commissioner for Patents
Washington, D.C. 20231


Sir:

A Notice of Abandonment (issued January 28, 2003) for failure to respond to an Office Letter mailed May 5, 2002 in the above identified application was received February 3, 2003. However, applicants never received the Office Letter that was mailed May 5, 2002. A telephone conversation with Examiner Paul Hirsch on February 5, 2003 revealed that the Office Letter mailed May 5, 2002 was a letter of non-compliance addressing applicants Office Action Response dated April 19, 2002, but no such letter was received by applicants' undersigned attorney.

Accordingly, it is requested that the Abandonment holding be withdrawn and the Examiners' letter of May 5, 2002 be resent to the undersigned with a new period for response thereto. A copy of the Applicant's file cover sheet showing an absence of the Office Letter in question is attached.

Respectfully submitted,

BARNES & THORNBURG


Jeffrey A. Michael
Registration No. 37,394



FEB 24 2003

TECHNOLOGY CENTER R370C

SENSORS RELATED FAILURE CONDITIONS

Mr. Terry J. Neff / SRC Secretary
Cummins Engine Co.
1900 McKinley Avenue
M.S. 50183
Columbus, IN 47201
Ph: 812.377.8239
Fx: 812.377.7808

Fx: 812.377.7808

Restricted

MATTER NO. 67966
(to be billed)

INVENTOR(S) WANG, LI STEPPER, YANG

Patent No.

Patent Issue Date**Patent Issue Date**

Entity Status as filed

Entity Status as issued

Patent Expiration Date

Foreign Filing (circle one) Yes / No By _____

Foreign Filing Reminder Letter Sent 08 Oct 01

[illegible]

Original Patent sent to Client _____ Certificate of Correction Requested _____ Reissue Callup Date _____

FOREIGN PRIORITY CLAIMED: YES NO

Priority Serial No.

Priority Filing Date

Country of Priority Application

Foreign Associate

Address

Reexamination	Reissue
Utility	Design Plant

FAX

Associate Reference No.

Related Countries and File Nos.